



MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore MD 21230

410-537-3000 • 1-800-633-6101

ORIGINAL

Robert L. Ehrlich, Jr.
Governor

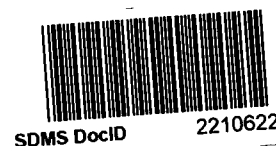
Kendall P. Philbrick
Secretary

Michael S. Steele
Lt. Governor

October 31, 2006

Jonas A. Jacobson
Deputy Secretary

Mr. David S. Meiskin
Herron 393, LLC
Pond Road Center
4345 Route 9, Suite 28
Freehold, NJ 07728



Re: Herron Farm

Dear Mr. Meiskin:

With continuing oversight of the Herron property (see attached map) by both the Maryland Department of the Environment (MDE) and the U.S. Environmental Protection Agency (EPA), it is important that Herron 393 LLC understands the role of both agencies in the continuing investigation and cleanup of the site. Accordingly, MDE and EPA are writing you in separate letters to explain their respective responsibilities and the contacts in each agency for questions and approvals. By laying out the responsibilities of each agency and designating a contact person, we hope to avoid misunderstandings and streamline the investigation, remediation and redevelopment of the site.

EPA will retain regulatory authority for the 55-acre area south of Zeitler Road that contains the Firehole area. Work within this area is subject to EPA approval and must utilize EPA's Health and Safety Plan (HASP), which is currently posted on the On-Scene Coordinator's web site. Questions concerning this area should be directed in writing to Lorie Baker at baker.lorie@epa.gov. MDE's Voluntary Cleanup Program (VCP) will be your point of contact for the remaining areas of the Herron farm for which you submitted applications. Though these areas are not subject to the EPA HASP, MDE strongly advises you to develop your own HASP or utilize the recommendations in EPA's plan whenever working or farming in areas that may contain munitions related items. Please be advised that all work within the areas included in the VCP application is performed at your own risk. For the sake of continuity, I will be your contact person for all MDE and VCP related questions or approvals. You may contact me at jcarroll@mde.state.md.us.

MDE's VCP has reviewed your applications submitted for the site. Comments to the application for Herron Area 4 were sent to you on June 21, 2006 and for Herron Area 1-3 on August 8, 2006. MDE is currently waiting for a Work Plan for the Phase II Environmental

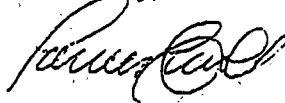
Mr. David S. Meiskin
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Site Assessment (ESA). As stated in our comments, the ESA will require a full delineation of all Munitions and Explosives of Concern (MEC), Materials Potentially Possessing an Explosive Hazard (MPPEH), Munitions Debris (MD), asbestos and all identified chemicals of concern. This work will be required within 1095 feet of the burn pits and the eastern portion of Herron Area 3. Additional investigation should be conducted near the dairy barn and chicken house that was the site of the EPA removal conducted in 1992. No investigative work should be done at the site until the Work Plan is approved.

After MDE has received and reviewed the Phase II ESA, a Response Action Plan will be required to address any identified problems. MDE is aware of discussions related to the possible landfilling of debris at the site that may contain MEC, MPPEH and MD. MDE urges you to contact our Solid Waste Program as early in the process as possible to become familiar with State requirements related to this activity. Again, I will remain the initial point of contact with the Solid Waste Program.

Should you have any additional questions concerning this matter, please contact me at (410) 537-3437.

Sincerely,



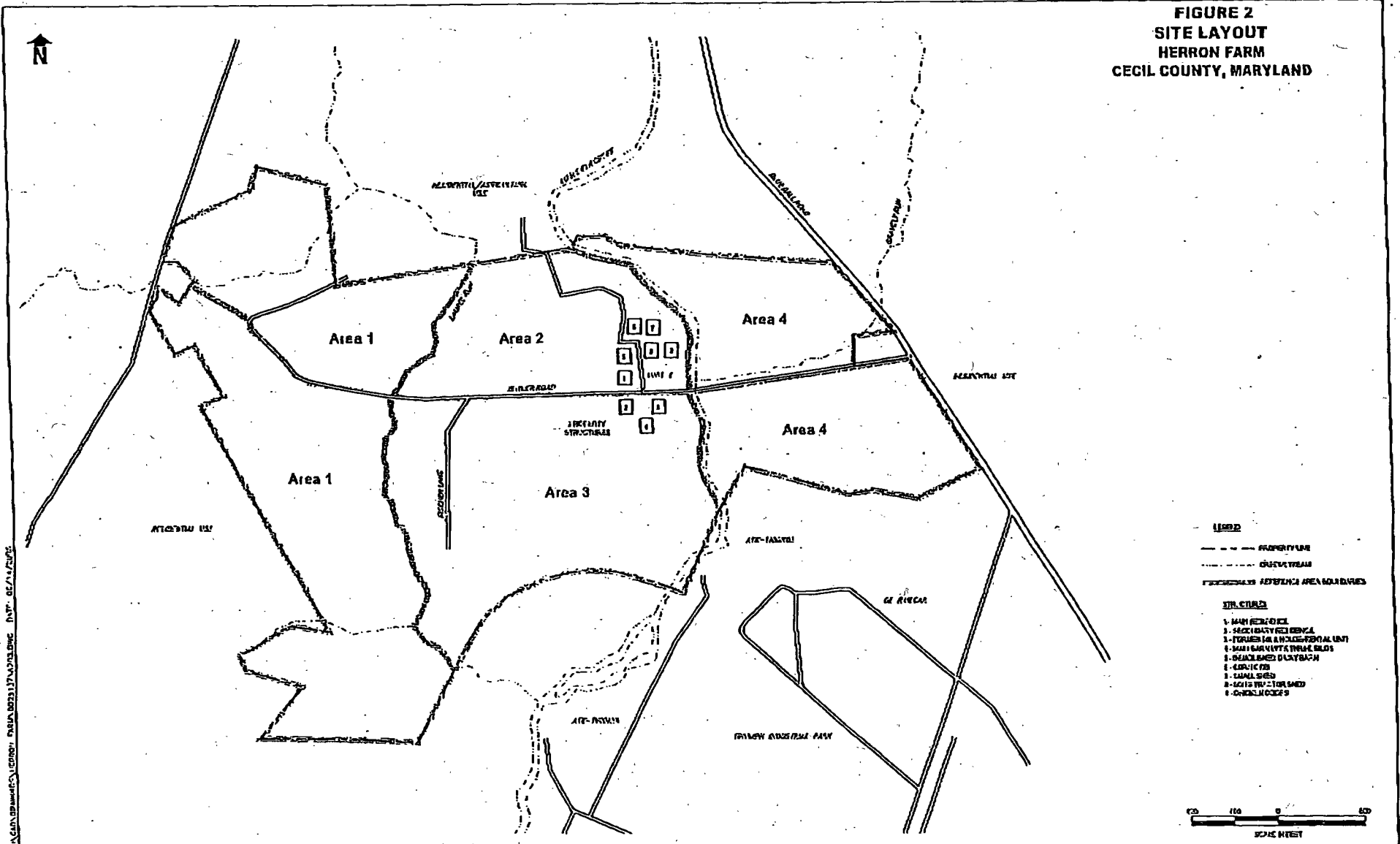
James Carroll, Administrator
Environmental Restoration and
Redevelopment Program

JC/AOC

Enclosure

cc: Mr. Horacio Tablada
Colleen Lamont, Esquire
Mr. Edward Dexter
Mr. James Metz
Mr. Arthur O'Connell
Ms. Irena Rybak

**FIGURE 2
SITE LAYOUT
HERRON FARM
CECIL COUNTY, MARYLAND**



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